



Meeting Street
The Schwartz Center

Bullying Prevention and Intervention
20.0

Purpose:

To outline expectations for staff and student behavior regarding all forms of bullying and to comply with state regulations and standards pertaining to bullying prevention and intervention as mandated under Massachusetts General Law (MGL).

Policy:

The Schwartz School (hereafter referred to as “the School”) is committed to providing all students regardless of age, ability, or legal status with a safe learning environment. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process. To this end, the School strictly prohibits any and all forms of bullying, retaliation and cyber-bullying.

The School will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber-bullying, or retaliation, in school classrooms, on school grounds, or in school-related activities.

The School will investigate promptly all reports and complaints of bullying, cyber-bullying and retaliation, and take prompt action to end that behavior and restore the target’s sense of safety.

Some students enrolled at the School may exhibit significant cognitive impairments and skill deficits. Due to the nature of the population served, the definition of “bullying” and “retaliation” does not include students who exhibit aggression, self-injurious behavior or property destruction as a manifestation of their disability.

We recognize that certain students may be more vulnerable to becoming targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, sensory disability, legal status or by association with a person who has or is perceived to have one or more of these characteristics.

The School will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing as situations arise.

Definitions:

- **Aggressor:** A student or staff member who engages in bullying, cyber-bullying or retaliation.
- **Bullying:** The repeated use by one or more aggressor(s) of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of requirements related to this law, bullying shall include cyber-bullying.
- **Cyber-bullying:** Bullying through the use of technology or electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings (i.e. Facebook, Instagram, etc.).
- **Hostile environment:** As defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.
- **Retaliation:** Any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, witnesses or has reliable information about bullying.
- **Staff:** Includes, but is not limited to, educators, administrators, nurses, custodians, support staff, paraprofessionals, bus drivers or bus monitors.
- **Target:** An individual against whom bullying, cyber-bullying or retaliation has been perpetrated.

Procedure:

Students with Disabilities:

When the Individual Education Program (IEP) TEAM determines that a student has a disability that affects social skills development or the student is vulnerable to bullying, harassment or teasing because of his/her disability, the TEAM must consider if and/or what should be included in the IEP to develop skills and proficiencies to avoid and respond to bullying harassment or teasing. The following are sample considerations that the TEAM may include in a student's IEP, as appropriate:

- Provide instructional personnel or supplementary aids and services during identified periods of the school day (e.g. lunch, recess, study hall, bus) when the student requires additional support;
- Identify a "safe" adult to whom the student can go for support when feeling vulnerable or targeted;
- Provide additional counseling for skill-building supports to prevent or respond to bullying;
- Provide a communication skills/social pragmatics skills group;

- Provide a Functional Behavioral Analysis and develop a Behavioral Intervention Plan that identifies target or aggressor behaviors, identifies antecedents to these behaviors, and proposes interventions for teaching the student to reduce and/or avoid these behaviors;
- Teach appropriate responses to bullying, harassment, and teasing;
- Provide opportunities for the student to develop and practice a safety action plan; and/or
- Identify skills or accommodations necessary for school success - educationally and socially.

Reporting:

The majority of students served at the School do not possess the cognitive or verbal ability to self-report instances of bullying or retaliation. Students who are capable of self-reporting and are targets or witnesses to bullying, cyber-bullying, or retaliation should immediately report this to a staff member.

Staff of the School is responsible for reporting any suspected incidents of bullying, cyber-bullying, or retaliation they witness. Such reporting shall be made verbally and in writing to their immediate supervisor or the Director of Special Education, using the *Bullying Prevention and Incident Reporting Form* (see exhibit 10.14-1). The verbal report must be made immediately upon observation or report from a student; a written report must be submitted by the end of the shift. **Failure to report instances of suspected bullying shall be grounds for disciplinary action up to and including termination of employment.**

Parents/guardians who witness or suspect incidents of bullying, cyber-bullying, or retaliation should report this to staff in person, when possible, or by phone to the Director of Special Education.

Any students, parents/guardians, staff or other persons who wish to report incidents of bullying, cyber-bullying or retaliation anonymously may do so by phone or mail. Anonymous reports by phone or mail should be made to the Director of Special Education. No disciplinary action will be taken against a student or staff member based **solely** on an anonymous report.

Curriculum:

In following the requirements for the Department of Elementary and Secondary Education (DESE) in relation to “Bullying Prevention and Intervention,” the School provides a Social Emotional Learning Curriculum (SEL) that provides students the skills necessary to:

- Recognize and manage their emotions;
- Demonstrate caring and concern for others;
- Establish positive relationships;
- Make responsible decisions; and
- Constructively handle challenging social situations.

The goals of the SEL curriculum include teaching the following basic skills:

- Self-awareness;
- Self-management;
- Social awareness;
- Relationship skills; and
- Responsible decision making.

Skills are taught by the classroom teachers as well as being reinforced throughout the school day by specialists and all staff in all aspects of a student's experience. Additionally, age and developmentally appropriate resources (see exhibit 10.14-2) shall also be made available to students to reinforce curriculum content.

Skills are taught throughout the school year with a particular focus area each month. Instructional strategies may include use of literature, role-play, community outings and cooperative activities. Monthly topics include:

- **September** - All About Me
- **October** - Same / Different
- **November** - Recognizing feelings: happy / sad / angry
- **December** - Importance of listening
- **January** - What people like
- **February** - Recognizing feelings: afraid / proud
- **March** - Recognizing feelings: frustrated / impatient
- **April** - We have a problem
- **May** - Different solutions
- **June** - Working together

Collaboration with Families:

Plan for educating parents about bullying prevention and intervention

Staff shall utilize a variety of engagement strategies to educate parents/guardians. Examples of which may include, but are not be limited to:

- Providing speakers on topics that address cooperation, assertion, responsibility, empathy and self-control;
- Providing home follow-up activities related to the curriculum being followed in the classroom;
- Utilizing the TEAM meeting format to discuss with parents issues related to bullying as well as address the social skills needed to respond to bullying;
- Presenting the curriculum which includes bullying dynamics, online safety and cyber-bullying to parents/guardians through the Parent Advisory Council; and
- Providing information to parents/guardians surrounding new bullying legislation.

Parent Notification

Annually the School will inform parents/guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber-bullying and online safety. All notices and information made available to parents/guardians will be in hardcopy and electronic formats, and will be available in the language(s) most prevalent among parents/guardians.

Training and Professional Development:

Staff receives training on the Anti-Bullying Policy during orientation and as part of annual training. This training includes all aspects of this policy including the definitions of bullying, cyber-bullying, and retaliation; reporting and investigation procedures; and prevention. While the population served by the School may not possess the cognitive ability to knowingly participate in the act of bullying, cyber-bullying or retaliation, general professional development for staff will include:

- Information on strategies for interventions to stop bullying incidents;
- Information regarding the complex interaction and power differential that can take place between an aggressor, target and witnesses to bullying;
- Research findings, including information on vulnerable or at-risk students; and
- Internet safety issues as they relate to cyber-bullying, as required by M.G.L. c. 71, § 370.

Training will address the specific challenges of the School student population and the expectations of staff in supporting a safe environment and protecting at-risk students, as well as training to differentiate bullying from the manifestation of student's disabilities.

The School will provide all staff with an annual written notice of the plan by publishing information about it including sections related to staff duties. The plan is also posted on our website.

A copy of the Anti-Bullying policy and procedures is included in the Parent Handbook which is provided at enrollment as well as distributed annually. At the request of parents/guardians, further information and resources will be provided by the Director of Special Education.

Investigation:

The Director of Special Education shall immediately investigate all allegations of bullying, cyber-bullying or retaliation. The activities of the investigation shall include staff and/or student interviews, review of the incident and any other information pertinent to the incident or individuals involved.

During the course of an investigation all witnesses and persons providing information shall be protected from retaliation. The School will take care to protect the confidentiality of reporters, witnesses, targets and alleged aggressors.

Interventions:

If, through the investigation process, it is determined that bullying, cyber-bullying or retaliation did occur; appropriate action will be taken with the aggressor. Such actions shall be scaled accordingly:

- 1. Skill Building Activity:** Individualized skill building activities focused on the development of positive social behaviors will be developed;
- 2. Review or Development of Behavior Support Plan:** If bullying, cyber-bullying, or retaliation continues after intervention #1, a Behavior Support Plan may be developed or revised to address areas of concern identified during an investigation;
- 3. Team Meeting:** If bullying, cyber-bullying, or retaliation continues after intervention #2, a team meeting will be called to include the aggressor's parents/guardians, teacher, sending school district representative, and the Director of Special Education to determine the appropriateness of the current placement;
- 4. Dismissal:** If bullying, cyber-bullying or retaliation continues after intervention #3 the School will work with the sending school district to terminate the aggressor's placement.

The target of confirmed bullying, cyber-bullying or retaliation may be provided with additional supports as determined by an Interdisciplinary Review Team consisting of the student's teacher, nurse, occupational therapist, physical therapist, speech language pathologist and an administrator. These supports may include, but are not limited to:

- Assignment of temporary support staff within the established classroom ratio;
- Modification to classroom seating;
- Possible reassignment of aggressor; and
- Additional communication tools to indicate level of safety;

A student determined through an investigation to have knowingly and intentionally made a false accusation will be provided with educational activities designed to teach social competencies related to accuracy in reporting. Behavior Support Plans may be developed or revised to address areas of concern identified during an investigation.

Notification:

- Upon determining that bullying or retaliation has occurred, the Director of Special Education or a designee will promptly notify the parents/guardians of the target and the aggressor of the incident and of the procedures for responding to it. There may be circumstances in which the Director of Special Education shall contact parents/guardians prior to an investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- The Director of Special Education or a designee shall inform the parents/guardians of the target about the DESE's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.
- Any parent wishing to file a claim/concern or seeking assistance outside of the School may do so with the DESE Program Resolution System (PRS). That information can be found at <http://www.doe.mass.edu/pqa>. Emails can be sent to

compliance@doe.mass.edu or individuals can call 781-338-3700. Hardcopies of this information are also available from the Director of Special Education's office at the School.

Any disciplinary action, implementation of support strategies, or preventive action affecting the student will be detailed in this written correspondence. In the event that criminal charges are being pursued, the Director will notify local law enforcement.

Leadership:

- At least once every four years beginning with the 2016/2017 school year, the School will administer a DESE developed student survey to assess school climate and the prevalence, nature and severity of bullying in our school.
- The School will annually report bullying incident data to the DESE.
- The Director of Special Education will receive reports on bullying, collect and analyze data to assess the present problem and track outcomes, and create a process for recording. This information will guide decision making regarding professional development, supports, curricula, policy, codes of conduct, annual review and revision of the plan.

Access to Resources:

Counseling Resources

When deemed appropriate, targets, aggressors and appropriate family members of the involved students may be referred to community-based agencies for counseling services. Appropriate staff will be utilized as necessary for communicating and collaborating effectively with our culturally and linguistically diverse population.

Relevant References:

- 6 MGL 15NNNNN: No Name Calling Day
- 69 MGL 1D: Statewide educational goals; academic standards; vocational training; grant program
- 71 MGL 37H: Policies relative to the conduct of teachers or students; student handbooks
- 71 MGL 37O: School bullying prohibited; bullying prevention and intervention plans; reporting of bullying incident date
- 71 MGL 93: Policy regarding internet safety measures for schools providing computer access to students
- 71B MGL 3: Identification of school age children with a disability; diagnosis of disability; proposal of program; evaluations and assessments of child and program
- 265 MGL 43: Stalking; punishment
- 265 MGL 43a: Criminal harassment; punishment
- 603 CMR 49.00: Notification of Bullying or Retaliation Regulations
- Massachusetts Department of Elementary and Secondary Education – Bullying Prevention and Intervention Resources: <http://www.doe.mass.edu/bullying/>

- National Education Association: www.nea.org/schoolsafety/bullying.html
- National Resource Center for Safe Schools: www.safetyzone.org
- Stop Bullying Now, Health Resources and Services Administration: www.stopbullyingnow.nrsa.gov
- U.S. Department of Education, Office of Safe and Drug Free Schools: www.ed.gov
- U.S. Department of Justice, Office of Community Oriented Policing Services: www.cops.usdoj.gov
- Walk A Mile In Their Shoes: www.AbilityPath.org

Person(s) Responsible: Director of Special Education